

VZCZCXRO4580
OO RUEHBI
DE RUEHLM #0230/01 0441108
ZNY CCCCC ZZH
O 131108Z FEB 06
FM AMEMBASSY COLOMBO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 2555
INFO RUEHNY/AMEMBASSY OSLO PRIORITY 2941
RUEHKO/AMEMBASSY TOKYO PRIORITY 2013
RUEHLO/AMEMBASSY LONDON PRIORITY 2833
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 9255
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 5804
RUEHKA/AMEMBASSY DHAKA PRIORITY 8921
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 3838
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0752
RUEHCG/AMCONSUL CHENNAI PRIORITY 6349
RUEHBI/AMCONSUL MUMBAI PRIORITY 4334
RUEHBS/USEU BRUSSELS PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 1008
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY
RUEKDIA/DIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 05 COLOMBO 000230

SIPDIS

SIPDIS

STATE FOR SA/INS
USPACOM FOR FPA

E.O. 12958: DECL: 02/12/2016

TAGS: [PGOV](#) [PTER](#) [PHUM](#) [CE](#)

SUBJECT: SRI LANKA: GSL INSIDER PREDICTS PRE-GENEVA
PROPAGANDA PUSH BY LTTE

REF: A. COLOMBO 213

[1](#)B. COLOMBO 187

[1](#)C. COLOMBO 196

[1](#)D. COLOMBO 090

Classified By: AMB. JEFFREY J. LUNSTEAD. REASON: 1.4 (B,D).

SUMMARY

[1](#)1. (C) In a February 10 meeting with poloff, presidential advisor and younger sibling Basil Rajapaksa discussed Government of Sri Lanka (GSL) thinking and expectations in the run-up to talks on the ceasefire with the Liberation Tigers of Tamil Eelam (LTTE) scheduled for February 22-23 in Geneva. Rajapaksa believes the LTTE agreed to the talks purely to gain public relations mileage with the international community, which it is manipulating through a carefully orchestrated pre-Geneva propaganda campaign, to exert pressure on the GSL. Because the dissident Karuna faction has prevented the Tigers from re-establishing a foothold in the east, the GSL is unlikely to "let Karuna down" by withdrawing all support, he indicated. In Rajapaksa's view, the Tigers have never abandoned the goal of a separate homeland, but are unlikely to return to hostilities at this stage. Expecting the Tigers may walk out of the talks, the GSL's challenge is to keep them there, Rajapaksa said, without losing support from southern political parties. In Geneva the GSL plans to prod the Tigers to allow government-implemented development in LTTE-controlled areas. The GSL is contemplating legislation, which Rajapaksa described as modeled in part on the Patriot Act, to allow some of the same powers granted under the Prevention of Terrorism Act. End summary.

GSL EXPECTS TIGER SLAM ON LACK OF DEVELOPMENT;
NO PUSH ON PARAMILITARIES, TRO

¶2. (C) In a February 10 meeting with poloff, presidential advisor and younger sibling Basil Rajapaksa offered some insights into Government of Sri Lanka (GSL) strategizing before the February 22-23 talks in Geneva with the Liberation Tigers of Tamil Eelam (LTTE) (Ref A). Rajapaksa, who has met with Tiger representatives on several occasions and was his brother's behind-the-scenes channel to the LTTE during his presidential campaign last year, said he expects that the LTTE will focus during the talks on accusing the GSL of not providing adequate development assistance in LTTE-controlled areas and harassing Tamils at checkpoints, rather than on allegations of GSL support to the dissident Karuna faction or the reported abductions of seven staff members of the Tiger-affiliated Tamil Rehabilitation Organization (TRO) (Ref B). Instead, the Tigers, with a carefully orchestrated anti-GSL propaganda campaign, "would leave it to others" in the international and NGO communities to raise those topics and put pressure on the GSL, he predicted. As examples of the Tigers' public relations offensive, Rajapaksa asserted that the LTTE had never formally complained to the Sri Lanka Monitoring Mission (SLMM) that the GSL had violated the Ceasefire Agreement (CFA) by supporting Karuna and that the TRO had blanketed Colombo diplomatic missions with press releases about the purported abductions before notifying either the police or the Government. (Note: According to SLMM Operations, while the Tigers may not have written a formal complaint about GSL support for Karuna, the LTTE has nonetheless complained verbally on frequent occasions to SLMM, to the Norwegian facilitators and to the international community. Views on whether or not that amounts to a "formal" complaint obviously differ between the GSL and LTTE.)

COLOMBO 00000230 002 OF 005

¶3. (C) The Tigers' strategy is working, Rajapaksa allowed ruefully; LTTE atrocities and the November electoral boycott had all but been forgotten in the current brouhaha about the alleged TRO disappearances. Moreover, the Karuna faction's unilateral ceasefire and its subsequent cessation of violence--announced the same day the TRO abductions were reported--had also been eclipsed by the LTTE's allegations, he observed; instead of "getting credit for their restraint," the Karuna faction was being tagged with responsibility for the still-unverified disappearances.

¶4. (C) At the talks the GSL plans to push the LTTE to allow small government-implemented development projects in Tiger-controlled territories, Rajapaksa said, adding that currently the TRO alone is permitted to perform development work there. This lack of transparency creates obvious problems for the GSL, he observed; the LTTE is demanding the GSL pay SLR 30 million (about USD 300,000) for reconstruction of tsunami-damaged houses and SLR 70 million (about USD 700,000) for debris clearing supposedly carried out by the TRO. The GSL has no way to verify these claims, he lamented; the Government Agent in LTTE-controlled districts "has to certify the projects or be killed." The World Bank and Asian Development Bank (ADB) give the LTTE more recognition than it deserves, Rajapaksa complained, by seeking LTTE approval of all projects in Tiger-controlled territory. He added that a much-publicized decision by the World Bank and ADB resident representatives not to travel to LTTE headquarters in Kilinochchi on February 3 had been made at the behest of the GSL; technical teams from both IFIs, however, nonetheless made the trip.

¶5. (C) The LTTE is unlikely to raise the Karuna faction at the talks, Rajapaksa predicted, because the SLMM has already confirmed that the GSL has complied with provisions of the Ceasefire Agreement (CFA) to disarm paramilitaries--the definition of which the Karuna faction does not fit. "Paramilitary" means operating with the support of the government or military, Rajapaksa stressed; the "government might know where (Karuna cadres) are, but that's not enough

to make them a paramilitary." If the LTTE were to raise Karuna in Geneva, the GSL would respond that since Karuna is not a paramilitary and the CFA only addresses paramilitaries, the agreement would have to be amended in order to cover the dissident faction--which the LTTE would never agree to, he asserted. In addition, he noted, the GSL could cite the none-too-felicitous experience of erstwhile paramilitaries like the Eelam People's Democratic Party (EPDP) as a counter-argument. "We disarmed them, they came to the peace process, and you (the LTTE) killed them."

¶16. (C) While the Karuna faction might not fit the strict definition of a paramilitary, the LTTE is clearly expecting GSL steps to restrain it, poloff suggested; is the GSL prepared to offer something? "Who will guarantee (the Karuna faction's) security" if they are disarmed? Rajapaksa replied, turning again to the EPDP's experience. If the CFA is amended to cover the Karuna faction, it must also be amended to guarantee their security and to allow them and other disarmed paramilitaries to do political work. "We can't let EPDP and Karuna down" on this, he said. He went on to suggest that the Karuna faction was the only factor preventing LTTE supremo Prabhakaran from re-establishing his foothold in the east. The east is the only place where LTTE cadres are "frightened," Rajapaksa declared, and unable to operate freely.

¶17. (C) In terms of other confidence-building measures, Rajapaksa reported that the GSL was offering to release four Sea Tigers "and a lady (Tiger) from Mannar" in exchange for the remaining two National Child Protection policemen in LTTE custody (one was released by the Tigers on January 26) and a

COLOMBO 00000230 003 OF 005

Sri Lanka Navy (SLN) sailor captured during one of the Tiger attacks at the end of last year. The Tigers had pushed for the release of a person detained after taking photographs of sensitive infrastructure, Rajapaksa said, but the GSL had refused.

LTTE INSINCERE; LIKELY TO WALK OUT

¶18. (C) In Rajapaksa's view, Prabhakaran has never given up his goal of a separate Tamil homeland, no matter what the Tigers may have agreed to in the Oslo Declaration. "It is our challenge to convince Prabhakaran to accept something else." The Tigers did not want ceasefire talks but felt compelled by international pressure--Rajapaksa specifically credited the visit by Under Secretary Burns--to accept the invitation. The GSL is thus expecting the LTTE might stage a walk-out from the talks. "How can they remain?" Rajapaksa queried rhetorically; they have no intention of modifying their behavior in line with CFA requirements.

¶19. (C) While it has not given up its goal of a Tamil homeland, the LTTE leadership has already determined that the international climate is not hospitable to the creation of a small new state--"look at East Timor"--and is thus simply biding its time until circumstances change, Rajapaksa speculated. In the meantime, the Tigers will try to burnish their tarnished international credentials by pretending to be interested in dialogue. "They are achieving faster through peace what they could not achieve through war" in terms of international legitimacy, he said. "Frankly, they have won just by agreeing to come back to the table," Rajapaksa continued; the pressure is now mainly on the GSL to come up with proposals and concessions to keep them there. When asked what some of those proposals might be, Rajapaksa said the GSL would propose setting up three steering committees--one on political affairs (e.g., devolution, etc.), one on development and one on human rights--with membership from both parties that would meet periodically "so there is some activity going on" between talks.

GETTING A SOUTHERN CONSENSUS

¶10. (C) While stalling at the table, the LTTE will try to create a rift among political parties in the south so that the GSL will feel under pressure to make concessions, Rajapaksa predicted. To forestall that, the President had invited representatives from all major political parties--the Sinhalese nationalist Janatha Vimukthi Peramuna (JVP), the right-wing religious Jathika Hela Urumaya (JHU), the opposition United National Party (UNP), the Muslim New Unity Alliance (NUA), and EPDP--as well as from the security forces and intelligence, to discussions, facilitated by the Harvard Negotiations Project (Ref A), on their expectations/concerns regarding the Geneva talks. "That way, we can go to the Tigers and say, 'This is our mandate,'" Rajapaksa said. He described the discussions so far as extremely useful--especially input offered by UNP MP G.L. Peiris, a veteran of previous rounds of negotiations with the Tigers.

¶11. (C) It is important for the GSL to keep the south together and to keep the international community on its side, Rajapaksa said, while discussions continue. While the JVP, JHU and opposition UNP have been relatively quiet about the peace process, the GSL has wasted precious time in delivering on campaign promises because "our Cabinet Ministers don't bat together" as a team, he complained. Instead, each is pulling for his own individual benefit. For example, he said, there were shortages of rice in some areas and oversupply in others. Why can't the Consumer Affairs Minister (who is also

COLOMBO 00000230 004 OF 005

the Commerce and Marketing Development Minister) and the Agriculture Minister cooperate to sort this out, he lamented.

If problems like this persist, any progress on the peace front will be overshadowed by domestic discontent, he indicated.

¶12. (C) When asked if the southern consensus would extend as far as Sri Lanka Freedom Party (SLFP) joint tickets--perhaps with the JVP--in upcoming local elections (Ref C), Rajapaksa said that discussions were still ongoing. He added that Upcountry People's Front (UPF) leader P. Chandrasekaran had gone to Kilinochchi the same day to seek Prabhakaran's "permission" to contest with the SLFP. The SLFP was also talking to the Ceylon Workers Congress (CWC) about contesting together, he reported. (Comment: According to local press reports, the CWC is also in talks with the UNP on the same topic. As usual, CWC leader A. Thondaman will likely throw his 500,000 votes into the lap of the highest bidder.) When asked about the court challenge lodged by an election monitoring NGO (Ref C), Rajapaksa acknowledged that the date of elections might have to slip by a month or so to comply with the requirement that registered voters be issued a National Identity Card.

HUMAN RIGHTS

¶13. (C) Rajapaksa said that the ballistics report from the incident in which five students were shot and killed in Trincomalee on January 2 (Ref D) should be ready within the next few days. The GSL will file charges against the Special Task Force (STF) personnel involved if the report showed that STF weapons were used in the shootings, he declared. (Comment: Although he had not yet seen the report, he nonetheless seemed confident that it would implicate the STF and clear the Navy of responsibility in the killings.) He added that he firmly believes "anti-government forces" in the mid-to upper ranks of the STF (but not the STF Commander himself) had staged the incident to embarrass the GSL. The same thing had happened in the police with the "Strangers' Night" cordon-and-search operations, he asserted. Why else had the police invited private TV stations--but not the

state-owned station--in advance to film the operation, while leaving the Secretary of Defense Gotabhaya Rajapaksa entirely in the dark? he asked.

¶14. (C) The GSL has tried to investigate TRO claims of abductions, but the LTTE-affiliated NGO is not cooperating in making the alleged eyewitnesses available to police, he complained. Such behavior is typical of Tiger sympathizers, he charged. For example, he said, after slain Tamil National Alliance (TNA) MP Joseph Pararajasingham's widow accused the Army of harboring her husband's killer, the GSL invited her to tour Army camps in the vicinity to identify the suspect, but she refused. The GSL is contemplating new legislation that would give it expanded powers of preventive detention, Rajapaksa said, since re-introduction of the Prevention of Terrorism Act (PTA) is prohibited by the CFA. "We want to have our own Patriot Act," he said, adding that the GSL was examining the U.S. law closely for ideas.

COMMENT

¶15. (C) Rajapaksa, a Legal Permanent Resident of the U.S., came back to Sri Lanka to assist in his older brother's successful bid for the presidency and has stayed on as an "advisor" in the Presidential Secretariat. Close to the President and firmly pro-U.S. in his outlook, he expects to travel to Geneva in the unofficial role of "advisor" as well. If his view is representative, the GSL is not counting on

COLOMBO 00000230 005 OF 005

gaining much from the talks in Geneva. If anything, it seems to fear that, having agreed to the talks, it alone is under pressure to show results--and thus is at a relative disadvantage to the LTTE. Rajapaksa sounded the same note we have heard from other GSL interlocutors (Ref A): that the LTTE's anti-GSL propaganda offensive is diverting international attention from well-documented Tiger CFA violations to unsubstantiated allegations of government wrongdoing. The GSL's apparent fear of "losing out" in the propaganda blitz to the LTTE may be obscuring its focus on what useful measures it might propose to strengthen the ceasefire. Rajapaksa's remarks on the Karuna faction indicate GSL reluctance, at least in some quarters, to withdraw support from what it sees as the only effective anti-LTTE bulwark in the east. This is the first we have heard of efforts to re-introduce elements--even if under a different name--of the much-hated and controversial Prevention of Terrorism Act (PTA). Any such step is likely to meet staunch resistance from human rights groups, Tamils, civil society and the international community, while doing little to promote a climate conducive to further dialogue.
LUNSTEAD